

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

FILED

JUL 28 2021

PETER A. MOORE, JR., CLERK
US DISTRICT COURT, EDNC
BY ama DEP. CLK

DONALD EDWARD SMITH, PETITIONER

VS.

LEGACY INVESTMENTS OF

BRANDON, INC.

PHOENIX CAPITAL FUNDING INC

PHOENIX LANDING RANCH

JOINT VENTURE (PARTNERSHIP)

PHOENIX SYNERGIES INC, RESPONDENTS

Case No.: 5:21-cv-00309-BO

PETITION

Comes petitioner, Donald Edward Smith, Pro Se and states the following:

JURISDICTION

This court has subject matter and territorial jurisdiction in this action as Petitioner
Is a managing member of the above named companies and resides in North
Carolina. As the respondents are in different types of parties in many states and
this action is for more than Seventy-Five Thousand (75,000.00) dollars USD

[28 U.S.C. subsection 1332]. All Parties have been sufficiently noticed accordingly.

Statement of Fact

STATEMENT OF FACT

1. From 2008 through current, petitioner Smith serves as Chairman of the Board of Directors for the named companies.

Respondents:

Legacy Investments of Brandon Inc.

Phoenix Capital Funding Inc.

Phoenix Landing Ranch

Phoenix Synergies Inc.
2. The Board(s) of Directors of Respondents Companies voted on and approved the constitution(s), operating agreements and Indemnity Agreements as outlined and signed accordingly. [Attached]
3. The Board(s) of Directors approved said agreements with full knowledge, Wisdom and sufficient advice of general Counsel(s) to afford, reimburse or Otherwise pay ALL loss, damages or liabilities incurred by any of the Officers Directors, including but not limited the Chairman of the Boards;

Mr. Donald Smith.

4. Mr. Smith has incurred considerable losses and damages and has suffered Excessive financial liabilities as a direct result of his valued service to the Respondents, Companies and Partners.
5. Moreover, Mr. Smith has been forced to endure grievous pain and agony, mental stress and strain and enormous loss of public good will and reputation along with depletion of his health, liberty and estate.

FAILURE TO PAY

AS AGREED

The Respondent Companies are extremely valuable as a result of Mr. Smith's Tenure and loyal service.

THE RESPONDENTS REFUSE TO PAY

The Respondents companies have substantial value as a result of Smith's service. They have land, vehicles cash, NO debt, technology, joint ventures of great Value....and potential.

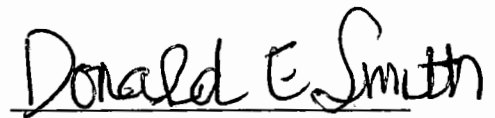
RELIEF SOUGHT

Mr. Smith, Petitioner seeks to recover his losses, direct and indirect damages for Financial liabilities due and to become due, lost wages and income, value of shares Of stock, loss of privilege, personal and corporate assets, technology of Tremendous value and expectation.

[Liabilities alone currently equate to 3.6 million dollars plus interest]

Mr. Smith is entitled to compensatory relief in the amount of Eight Million- Five Hundred Thousand (\$8, 5000, 000.00) dollars, USD and any and all other such Relief this Honorable Court deems reasonable.

Respectfully submitted this 8th day of July, 2021



Donald E. Smith

Pro Se

P.O. Box 1600

Butner, North Carolina 27509

CERTIFICATE OF SERVICE

I hereby certify a copy of the foregoing has been mailed to the parties below via

U.S. Postal Service, First Class Mail this 8th day of July 2021.

Donald E. Smith

Donald E. Smith

PARTIES:

Karl Zahradka, General Counsel/Manager Respondents

1923 16th Ave. Dr. W

Bradenton, Fl. 34205